

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

UNITED STATES OF AMERICA)
v.)
STEVEN WAYNE WOOD) No. 3:08-CR-26

ORDER

This criminal case is before the court on the report and recommendation of magistrate judge H. Bruce Guyton [doc. 80] that the defendant's motion to suppress his statements to law enforcement officers be denied. Neither the defendant nor the government have filed any objections to the report and recommendation, and no transcript of the suppression hearing has been prepared.

Under 28 U.S.C. § 636(b), a *de novo* review by the district court of a magistrate judge's report and recommendation is both statutorily and constitutionally required. See *United States v. Shami*, 754 F.2d 670, 672 (6th Cir. 1985). However, it is necessary only to review "those portions of the report or specified proposed findings or recommendations to which objection is made." 28 U.S.C. § 636(b); see also *United States v. Campbell*, 261 F.3d 628, 631-32 (6th Cir. 2001).

The court has reviewed *de novo* the report and recommendation, the pleadings and the exhibits to the suppression hearing and **ADOPTS** the findings of fact and conclusions of law set out in the report and recommendation. The court notes that the defendant admitted that he signed a waiver of rights form, and no evidence was adduced at the hearing that any officer told the defendant that his statement would be “off the record.” Therefore, it is hereby **ORDERED** that the defendant’s motion to suppress his statements to law enforcement officers [doc. 53] is **DENIED**.

ENTER:

s/ Leon Jordan
United States District Judge